

REMARKS

Claims 1-14 and 16-35 are pending.

103 Rejections

Claims 1-14 and 16-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bindra, *electronic design* article dated November 6, 2000, "Programmable SoC Delivers an New Level of System Flexibility" (hereinafter, "Bindra"), in view of "PSoC Designer: Integrated Development Environment, Getting Started 25-Minute Tutorial" Revision 1.0 dated July 3, 2001 (hereinafter, "the IDE Tutorial").

Applicant respectfully agrees that Bindra does not address "automatically constructing source code," as admitted on page 5 of the Office Action mailed June 14, 2005. The IDE Tutorial was cited in that Office Action to correct this deficiency. However, the IDE Tutorial does not qualify as prior art, a fact admitted to in the instant Advisory Action.

Thus, Applicant respectfully asserts that the cited, qualified prior art references do not show or suggest the present claimed invention, a conclusion supported by the Examiner's prior admissions.

The instant Advisory Action attempts to argue that the "PSoC Designer" was known more than a year before the effective filing date of the instant application, and that the PSoC Designer of Bindra is the same tool as the PSoC Designer of the disqualified IDE Tutorial reference. However, no facts in support of this argument are provided. In fact, the Examiner has

admitted quite the opposite – by the Examiner’s admission, the Bindra reference does not disclose a feature of the PSoC Designer of the disqualified IDE Tutorial reference. The Examiner is no doubt aware that software can continue to be known by the same name even as upgrades are made and new, patentably distinct features are added.

To summarize, the Applicant and the Examiner are in agreement that the cited prior art reference (Bindra) does not show or suggest a claimed feature, namely “automatically constructing source code.” Applicant respectfully requests that the Examiner provide a reference showing this claimed feature if the rejection of Claims 1-14 and 16-35 is to be maintained.

Because such a reference has not been cited, Applicant respectfully submits that Claims 1-14 and 16-35 traverse the basis for rejection under 35 U.S.C. § 103(a) and are in condition for allowance.

Conclusions

In light of the above remarks, reconsideration of the rejected claims is respectfully requested.

Based on the arguments presented above, it is respectfully asserted that Claims 1-14 and 16-35 overcome the rejections of record and, therefore, allowance of these claims is solicited.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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